DOC24/12495-5

Department of Planning and Environment
Retunred via the Major Projects Planning Portal

Attention: Ellena Tsanidis

27 February 2024

Dear Ms Tsanidis

RE: Secretary's Environmental Assessment Requirements for Aquila Wind Farm - SSD-67667971

I refer to your request for the Environment Protection Authority's (EPA) requirements for the Environmental Impact Assessment (EIS) in regard to the above proposal received by the EPA on 15 February 2024.

The EPA has considered the details of the proposal provided by Department of Planning and Environment (DPE) and has identified the information it requires to issue its general terms of approval in Attachment A. In summary, the EPA's key information requirements for the proposal include an adequate assessment of:

1. **Noise** – proximity to sensitive receptors and impacts of any sources associated with the project.

2. **Air** – Dust generation and management of potential impacts on adjacent rural residences during the construction and operational phases of the project

3. **Water** – Water management systems and the implementation of adequate erosion and sediment controls to runoff from the Wind Farm.

In carrying out the assessment, the proponent should refer to the relevant guidelines as listed in **Attachment A** and any relevant industry codes of practice and best practice management guidelines.

The proponent should be made aware that any commitments made in the EIS may be formalised as approval conditions and may also be placed as formal conditions on an Environment Protection Licence (EPL).

The proponent should be made aware that, consistent with provisions under Part 9.4 of the *Protection of the Environment Operations Act 1997* (the Act) the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of an EPL.

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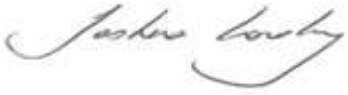
In addition, as a requirement of an EPL, the EPA will require the proponent to prepare, test and implement a Pollution Incident Response Management Plan and/or Plans in accordance with Section 153A of the Act.

If you have any questions about this matter, please contact Isabella Rambaldini on (02) 6883 5358 or by email at Isabella.rambaldini@epa.nsw.gov.au.

Yours sincerely



JOSHUA LOXLEY
Unit Head
Regulatory Operations Regional

ATTACHMENT A: Secretary's Environmental Assessment Requirements – SEARs (SSD-67667971) – Aquila Wind Farm

1. Environmental impacts of the project

1.1 The EIS must address the requirements of Section 45 of the Protection of the Environment Operation Act 1997 (POEO Act) by determining the extent of each impact and providing sufficient information to enable the EPA to determine appropriate conditions, limits, and monitoring requirements for an Environment Protection Licence (EPL).

1.2 Impacts related to the following environmental issues need to be assessed, quantified, and reported on:

- **Air Issues**: air quality including dust generation from the operation on the surrounding landscape and/or community;
- **Noise and vibration impacts** associated with blasting, and operational noise particularly machinery, turbines and plant movements;
- **Waste** including hazardous materials and radiation. Consideration needs to be given to disposal options for general waste, sanitary waste as well as hazardous materials and radiation, where relevant.
- **Water and Soils** including site water balance and sediment and erosion controls during construction and operation phases.

The EIS should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned.

2. Licensing requirements

2.1 The development is a scheduled activity under the *Protection of the Environment Operations Act 1997* (POEO Act) and will therefore require an Environment Protection Licence (EPL) if approval is granted.

2.2 Should project approval be granted, the proponent will need to make an application to the EPA for its EPL for the proposed facility prior to undertaking any on site works. Additional information is available through the *EPA Guide to Licensing* document available from our website at: www.epa.nsw.gov.au/licensing/licenceguide.htm

SPECIFIC ISSUES

3. Air Issues

3.1 The EIS must demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the POEO Act and the *Protection of the Environment Operations (Clean Air) Regulation 2022* (Clean Air Reg). Particular consideration should be given to section 129 of the POEO Act concerning control of 'offensive odour'.

3.2 The EIS must include an air quality impact assessment (AQIA)

3.3 The AQIA must be carried out in accordance with the document, *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW 2005* https://www.epa.nsw.gov.au/resources/air/ammodelling05361.pdf

3.4 The EIS must detail emission control techniques/practices that will be employed at the site and identify how the proposed control techniques/practices will meet the requirements of the POEO Act, Clean Air Reg and associated air quality limits or guideline criteria.

4. Noise and Vibration

The EIS must assess the following noise and vibration aspects of the proposed development.

4.1 Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline (*DECC, 2009*)*. These are available at: https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise

4.2 Vibration from all activities (including construction and operation) to be undertaken on the premises should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (DECC, 2006). These are available at: https://www.epa.nsw.gov.au/yourenvironment/noise/industrial-noise/assessing-vibration

4.3 If blasting is required for any reasons during the construction or operational stage of the proposed development, blast impacts should be demonstrated to be capable of complying with the guidelines contained in *Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (ANZEC,1990). These are available at: https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/interimconstruction-noise-guideline

Industry

4.4 Operational noise from all industrial activities (including private haul roads) to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Noise Policy for Industry* (EPA, 2017). https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-forindustry-(2017)

Wind Farms

4.5 Operational noise activities from Wind Farms should be accessed against the South Australian EPA's Wind Farm- Environmental Noise Guidelines (2009) and the DPE's Wind Energy: Noise Assessment Bulletin (2016), available at: www.planning.nsw.gov.au/~/media/Files/DPE/Bulletinsand-Community-Updates/wind-energy-noise-assessment-bulletin-2016-12.ashx

Roads

4.6 Noise on public roads from increased road traffic generated by land use developments should be assessed using the guidelines contained in the *NSW Road Noise Policy* and associated application notes (EPA, 2011). https://www.epa.nsw.gov.au/your-environment/noise/transport-noise

5. Waste, chemicals and hazardous materials and radiation

5.1 The EIS must assess all aspects of waste generation, management and disposal associated with the proposed development.

5.2 The EIS must demonstrate compliance with all regulatory requirements outlined in the POEO Act and associated waste regulations.

5.3 The EIS must identify, characterise and classify the following in accordance with the EPA's Waste Classification Guidelines (2014) and associated addendums:

(i) all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste;
(ii) all waste that is proposed to be disposed of to an offsite location, including proposed quantities

Note: The EPA's Waste Classification Guidelines (2014) and associated addendums are available at: https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste

5.4 The EIS must outline contingency plans for any event that may result in environmental harm, such as excessive stockpiling of material, or dirty water volumes exceeding the storage capacity available on- site.

5.5 The EIS must demonstrate that appropriate spill containment will be provided for storage, filling and loading of all fuels and other chemicals to be used on site, in accordance with the relevant Australian Standard.

6. Water

6.1 The EIS must demonstrate how the proposed development will meet the requirements of section 120 of the POEO Act.

6.2 The EIS must include a water balance for the development including water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

6.3 If the proposed development intends to discharge waters to the environment, the EIS must demonstrate how the discharge(s) will be managed in terms of water quantity, quality and frequency of discharge and include an impact assessment of the discharge on the receiving environment. This should include:

- Description of the proposal including position of any intakes and discharges, volumes, water quality and frequency of all water discharges.
- Description of the receiving waters including upstream and downstream water quality as well as any other water users.
- Demonstration that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.

6.4 The EIS must refer to Water Quality Objectives for the receiving waters and indicators and associated trigger values or criteria for the identified environmental values of the receiving environment. This information should be sourced from the ANZECC (2000) Guidelines for Fresh and Marine Water Quality (http://www.environment.gov.au/water/policy-programs/nwqms/).

6.5 The EIS must describe how stormwater will be managed in all phases of the project, including details of how stormwater and runoff will be managed to minimise pollution. Information should include measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site. The EIS should consider the guidelines Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC, 2008).

6.6 The EIS must describe any water quality monitoring programs to be carried out at the project site. Water quality monitoring should be undertaken in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004) which is available at: http://www.epa.nsw.gov.au/resources/legislation/approvedmethods-water.pdf.

7. Soils

7.1 The EIS should include:
An assessment of the potential impacts on soil and land resources should be undertaken, being guided by the Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:

a. Soil erosion and sediment transport- in accordance with Managing urban stormwater: Soils and construction, vol. 1 (Landcom 20) and vol. 2 (A. Installation of services; B Waste landfills; C Unsealed Roads; D Main Roles) (DECC2008).

b. Mass movement (landslides) – in accordance with Landslide risk management guidelines presented in the Australian Geomechanics Society (2007).

c. Urban and regional salinity – guidance given in the Local Government Salinity Initiative booklets which includes Site Investigation for Urban Salinity (DLWC, 2002).

7.2 A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented. Where required, add any specific assessment requirements relevant to the project.